

From: Birchfield, Norman [Birchfield.Norman@epa.gov]
Sent: 6/27/2019 1:11:33 PM
To: Strock, Troy [strock.troy@epa.gov]; Libelo, Laurence [Libelo.Laurence@epa.gov]; Fitz-James, Schatzi [Fitz-James.Schatzi@epa.gov]; Helms, Greg [Helms.Greg@epa.gov]; Fagnant, Daniel [fagnant.daniel@epa.gov]; Kirkland, Kim [Kirkland.Kim@epa.gov]; Gaines, Linda [Gaines.Linda@epa.gov]; Chaudhari, Narendra [Chaudhari.Narendra@epa.gov]
CC: Radtke, Meghan [Radtke.Meghan@epa.gov]; ORCR IO [ORCR_IO@epa.gov]; Elliott, Ross [Elliott.Ross@epa.gov]
Subject: RE: Definition of PFAS for legislation

Ex. 5 Deliberative Process (DP)

From: Strock, Troy
Sent: Thursday, June 27, 2019 8:46 AM
To: Birchfield, Norman <Birchfield.Norman@epa.gov>; Libelo, Laurence <Libelo.Laurence@epa.gov>; Fitz-James, Schatzi <Fitz-James.Schatzi@epa.gov>; Helms, Greg <Helms.Greg@epa.gov>; Fagnant, Daniel <fagnant.daniel@epa.gov>; Kirkland, Kim <Kirkland.Kim@epa.gov>; Gaines, Linda <Gaines.Linda@epa.gov>; Chaudhari, Narendra <Chaudhari.Narendra@epa.gov>
Cc: Radtke, Meghan <Radtke.Meghan@epa.gov>; ORCR IO <ORCR_IO@epa.gov>; Elliott, Ross <Elliott.Ross@epa.gov>
Subject: RE: Definition of PFAS for legislation

Norm-

Laurence and I discussed briefly yesterday afternoon, and the definition you sent has merit, but it's hard to cover all the chemicals that might be of interest and keep the definition simple (he pointed out this definition would not include HFPO).

This may be too late to be helpful, but the following definitions were in a recent congressional bill related to USGS.

4 (iv) PERFLUOROALKYL SUBSTANCE.—
5 The term “perfluoroalkyl substance”
6 means a manmade chemical of which all of
7 the carbon atoms are fully fluorinated car
8 bon atoms.
9 (v) POLYFLUOROALKYL SUB
10 STANCE.—The term “polyfluoroalkyl sub
11 stance” means a manmade chemical con
12 taining a mix of fully fluorinated carbon

13 atoms, partially fluorinated carbon atoms,
14 and nonfluorinated carbon atoms.

Ex. 5 Deliberative Process (DP)

"In this Act, PFAS means a manmade chemical of which two or more carbon atoms are fully fluorinated and potentially including one or more carbon atoms that are partially fluorinated or non-fluorinated."

Troy Strock, chemist
US Environmental Protection Agency
Office of Land and Environmental Management
Office of Superfund Remediation and Technology Innovation
Technology Innovation and Field Services Division
Analytical Services Branch
Phone: 703.603.8801
e-mail: strock.troy@epa.gov

From: Birchfield, Norman

Sent: Wednesday, June 26, 2019 1:40 PM

To: Libelo, Laurence <Libelo.Laurence@epa.gov>; Fitz-James, Schatzi <Fitz-James.Schatzi@epa.gov>; Helms, Greg <Helms.Greg@epa.gov>; Fagnant, Daniel <fagnant.daniel@epa.gov>; Kirkland, Kim <Kirkland.Kim@epa.gov>; Gaines, Linda <Gaines.Linda@epa.gov>; Strock, Troy <strock.troy@epa.gov>; Chaudhari, Narendra <Chaudhari.Narendra@epa.gov>

Cc: Radtke, Meghan <Radtke.Meghan@epa.gov>; ORCR IO <ORCR_IO@epa.gov>; Elliott, Ross <Elliott.Ross@epa.gov>

Subject: Definition of PFAS for legislation

Hi all

We have had a some exchange with the House E&C committee staff regarding a definition for PFAS in draft legislation that they are crafting. I'll save you the blow-by-blow discussion and cut to the current question.... Do you think the definition below is adequate for describing PFAS as we currently understand them?

Ex. 5 Deliberative Process (DP)

A response by COB today would be helpful. Thanks!

NB

From: Manges, Ellen

Sent: Wednesday, June 26, 2019 1:16 PM

To: Birchfield, Norman <Birchfield.Norman@epa.gov>

Cc: Harwood, Jackie <Harwood.Jackie@epa.gov>; Benjamin, Kent <Benjamin.Kent@epa.gov>; Johnson, Barnes <Johnson.Barnes@epa.gov>; Salyer, Kathleen <Salyer.Kathleen@epa.gov>; Radtke, Meghan <Radtke.Meghan@epa.gov>; Devlin, Betsy <Devlin.Betsy@epa.gov>; Elliott, Ross <Elliott.Ross@epa.gov>; Colon, Lilybeth <Colon.Lilybeth@epa.gov>; Keller, Melanie <Keller.Melanie@epa.gov>

Subject: FW: follow up TA question-- PFAS destruction/disposal-definitions

Hi Norm – Per Carolyn in OCIR, the HEC staff found your definition to be extremely helpful. Can you double check with your contacts per our discussion and confirm that this is the best way to describe them? Please get back to us by noon

tomorrow – then we can get the final response in front of Peter/Steven/Barry/Nigel and then get it to Carolyn/OCIR.
Thanks Norm for the great input on this. – Ellen

Ellen Manges
Acting Deputy Director
Office of Communications, Partnerships and Analysis
Office of Land and Emergency Response / U.S. EPA
202-566-0195

From: Levine, Carolyn
Sent: Wednesday, June 26, 2019 12:02 PM
To: Manges, Ellen <Manges.Ellen@epa.gov>; Harwood, Jackie <Harwood.Jackie@epa.gov>
Cc: Keller, Melanie <Keller.Melanie@epa.gov>
Subject: follow up TA question-- PFAS destruction/disposal-definitions

Hi Ellen/Jackie-

The TA from ORCR was extremely helpful for House E&C staff. Can we take Norm up on his offer to check with others? Tomorrow afternoon for any updated TA, would be helpful.

Thanks, and let me know any questions.

Carolyn

Carolyn Levine
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Intergovernmental Relations
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(202) 564-1859
levine.carolyn@epa.gov

From: Manges, Ellen
Sent: Tuesday, June 25, 2019 9:32 AM
To: Levine, Carolyn <Levine.Carolyn@epa.gov>
Cc: Wright, Peter <wright.peter@epa.gov>; Cook, Steven <cook.steven@epa.gov>; Breen, Barry <Breen.Barry@epa.gov>; Johnson, Barnes <Johnson.Barnes@epa.gov>; Salyer, Kathleen <Salyer.Kathleen@epa.gov>; Birchfield, Norman <Birchfield.Norman@epa.gov>; Radtke, Meghan <Radtke.Meghan@epa.gov>; Devlin, Betsy <Devlin.Betsy@epa.gov>; Elliott, Ross <Elliott.Ross@epa.gov>; Colon, Lilybeth <Colon.Lilybeth@epa.gov>; Keller, Melanie <Keller.Melanie@epa.gov>; Harwood, Jackie <Harwood.Jackie@epa.gov>; Benjamin, Kent <Benjamin.Kent@epa.gov>
Subject: RE: Time Sensitive FW: follow up TA question-- PFAS destruction/disposal-definitions

Hi Carolyn – See Norm's response below. I discussed with Peter and he agrees with Norm on this. Per Norm, their definition doesn't seem like it changed from the original proposal. I've pulled out the following definition from Norm's note (Norm – please correct if wrong):

Ex. 5 Deliberative Process (DP)

Ellen Manges
Acting Deputy Director
Office of Communications, Partnerships and Analysis
Office of Land and Emergency Response / U.S. EPA

From: Birchfield, Norman
Sent: Tuesday, June 25, 2019 8:24 AM
To: Manges, Ellen <Manges.Ellen@epa.gov>; Radtke, Meghan <Radtke.Meghan@epa.gov>; Johnson, Barnes <Johnson.Barnes@epa.gov>; Salyer, Kathleen <Salyer.Kathleen@epa.gov>; Devlin, Betsy <Devlin.Betsy@epa.gov>; Elliott, Ross <Elliott.Ross@epa.gov>; Colon, Lilybeth <Colon.Lilybeth@epa.gov>
Cc: Keller, Melanie <Keller.Melanie@epa.gov>; Harwood, Jackie <Harwood.Jackie@epa.gov>; Benjamin, Kent <Benjamin.Kent@epa.gov>
Subject: RE: Time Sensitive FW: follow up TA question-- PFAS destruction/disposal-definitions

Hi Ellen

The definition below doesn't seem like it changed from the original proposal. As it stands I think there are many pesticides and pharmaceuticals that would be included in the definition. Prozac and cipro both have a fully fluorinated carbon atom. Many pesticides also have one fully fluorinated carbon atom. (Ex. 5 Deliberative Process (DP))

Ex. 5 Deliberative Process (DP)

(Ex. 5 Deliberative Process (DP)) These are a couple of quick answers. With some more time, it would be great to check with a few others to see if there is a better way of describing them. Let me know if spending any more time on this would be helpful.

Thanks!

Norm

From: Manges, Ellen
Sent: Monday, June 24, 2019 5:28 PM
To: Radtke, Meghan <Radtke.Meghan@epa.gov>; Johnson, Barnes <Johnson.Barnes@epa.gov>; Salyer, Kathleen <Salyer.Kathleen@epa.gov>; Devlin, Betsy <Devlin.Betsy@epa.gov>; Elliott, Ross <Elliott.Ross@epa.gov>; Colon, Lilybeth <Colon.Lilybeth@epa.gov>; Birchfield, Norman <Birchfield.Norman@epa.gov>
Cc: Keller, Melanie <Keller.Melanie@epa.gov>; Harwood, Jackie <Harwood.Jackie@epa.gov>; Benjamin, Kent <Benjamin.Kent@epa.gov>
Subject: RE: Time Sensitive FW: follow up TA question-- PFAS destruction/disposal-definitions

Adding in Norman.

From: Manges, Ellen
Sent: Monday, June 24, 2019 5:12 PM
To: Radtke, Meghan <Radtke.Meghan@epa.gov>; Johnson, Barnes <Johnson.Barnes@epa.gov>; Salyer, Kathleen <Salyer.Kathleen@epa.gov>; Devlin, Betsy <Devlin.Betsy@epa.gov>; Elliott, Ross <Elliott.Ross@epa.gov>; Colon, Lilybeth <Colon.Lilybeth@epa.gov>
Cc: Keller, Melanie <Keller.Melanie@epa.gov>; Harwood, Jackie <Harwood.Jackie@epa.gov>; Benjamin, Kent <Benjamin.Kent@epa.gov>
Subject: Time Sensitive FW: follow up TA question-- PFAS destruction/disposal-definitions

Hi All – Please see Carolyn's note. HEC is hoping for an answer ASAP. Thanks – Ellen (I'm backing up Melanie today)

Ellen Manges

Acting Deputy Director
Office of Communications, Partnerships and Analysis
Office of Land and Emergency Response / U.S. EPA
202-566-0195

From: Levine, Carolyn
Sent: Monday, June 24, 2019 5:07 PM
To: Manges, Ellen <Manges.Ellen@epa.gov>; Benjamin, Kent <Benjamin.Kent@epa.gov>
Cc: Keller, Melanie <Keller.Melanie@epa.gov>; Harwood, Jackie <Harwood.Jackie@epa.gov>
Subject: follow up TA question-- PFAS destruction/disposal-definitions

Hi Ellen-

House E&C has a time-sensitive question, following up on the [ORCR comment #2](#) in the email below that Melanie had worked with ORCR on. Staff were looking for an answer today, but I know that might be tough given the hour, so let me know what you hear...thanks!

HEC TA Question:

Is the proposed definition of PFAS below too broad to include pharmaceuticals? Does EPA have any suggested clarifications to the definitions?

(2) FULLY FLUORINATED CARBON ATOM.—The term “fully fluorinated carbon atom” means a carbon atom on which all the hydrogen substituents have been replaced by fluorine.

(3) PFAS.—The term “PFAS” means perfluoroalkyl and polyfluoroalkyl substances that are man-made chemicals with at least one fully fluorinated carbon atom.

Carolyn

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From: Birchfield, Norman
Sent: Tuesday, June 11, 2019 4:29 PM
To: Radtke, Meghan <Radtke.Meghan@epa.gov>; Johnson, Barnes <Johnson.Barnes@epa.gov>; Salyer, Kathleen <Salyer.Kathleen@epa.gov>; Keller, Melanie <Keller.Melanie@epa.gov>
Cc: Devlin, Betsy <Devlin.Betsy@epa.gov>; Elliott, Ross <Elliott.Ross@epa.gov>; Colon, Lilybeth <Colon.Lilybeth@epa.gov>
Subject: RE: URGENT TA Request -- PFAS destruction/disposal

Hi Melanie

We suggest making two points in response:

Ex. 5 Deliberative Process (DP)

Ex. 5 Deliberative Process (DP)

Thanks

Norm

From: Radtke, Meghan
Sent: Tuesday, June 11, 2019 2:34 PM
To: Johnson, Barnes <Johnson.Barnes@epa.gov>; Salyer, Kathleen <Salyer.Kathleen@epa.gov>; Birchfield, Norman <Birchfield.Norman@epa.gov>
Cc: Devlin, Betsy <Devlin.Betsy@epa.gov>; Elliott, Ross <Elliott.Ross@epa.gov>; Colon, Lilybeth <Colon.Lilybeth@epa.gov>
Subject: RE: URGENT TA Request -- PFAS destruction/disposal

Norm,

Can you also please take a look at this? It's another short deadline, but the text is limited (see below).

Thank you!

Meghan

Meghan Radtke, Ph.D., Biologist
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From: Keller, Melanie
Sent: Tuesday, June 11, 2019 2:26 PM
To: Johnson, Barnes <Johnson.Barnes@epa.gov>; Salyer, Kathleen <Salyer.Kathleen@epa.gov>
Cc: Devlin, Betsy <Devlin.Betsy@epa.gov>; Elliott, Ross <Elliott.Ross@epa.gov>; Colon, Lilybeth <Colon.Lilybeth@epa.gov>; Radtke, Meghan <Radtke.Meghan@epa.gov>
Subject: URGENT TA Request -- PFAS destruction/disposal
Importance: High

Good afternoon,

OCIR sent me this **urgent** request from Senate EPW (majority).

I am seeking TA comments on the following draft language by **4:30 today, to me, please**. I will run it by the OLEM IO for a quick check after I receive it from you.

OCIR and I also included OGC (Jen Lewis)

Thank you for your time and consideration,
Melanie

SECTION 1. GUIDANCE.

(a) IN GENERAL.—

- (1) Not later than one year after the date of enactment of this Act, the Administrator of the Environmental Protection Agency shall propose public guidance for other federal agencies on the destruction and disposal of PFAS and PFAS-containing materials, including but not limited to: aqueous film-forming foam; PFAS-contaminated soil and biosolids; PFAS-treated textiles; and spent filters, membranes, and other waste from PFAS-contaminated water treatment.
- (2) Such guidance shall take into consideration the potential for PFAS releases during destruction or disposal, including through volatilization, air dispersion, or leachate, and provide guidance on testing and monitoring air, effluent, and soil near potential destruction or disposal sites for such releases.
- (3) Such guidance shall take into consideration of potentially vulnerable populations living near likely destruction or disposal sites.
- (4) Not later than 18 months after the date of enactment of this Act, the Administrator shall finalize such guidance and make it available to the public.

(b) DEFINITION.—In this Act, the term “PFAS” means a perfluoroalkyl or polyfluoroalkyl substance with at least one fully fluorinated carbon atom.

Melanie C. Keller

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